

SENATE No. 363

The Commonwealth of Massachusetts

PRESENTED BY:

Richard R. Tisei

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to independent campaign expenditures and electioneering communications.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Richard R. Tisei	Middlesex and Essex
Bruce E. Tarr	First Essex and Middlesex
Michael R. Knapik	Second Hampden and Hampshire
Robert L. Hedlund	Plymouth and Norfolk
Scott P. Brown	Norfolk, Bristol and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00461 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO INDEPENDENT CAMPAIGN EXPENDITURES AND ELECTIONEERING COMMUNICATIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 18A of chapter 55 of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by inserting after the first paragraph the following paragraph:-

3 Every individual, group or association not defined as a political action committee, who
4 makes an independent expenditure or expenditures in an aggregate amount exceeding one
5 hundred dollars during any calendar year to produce and disseminate candidate-specific issue
6 advertising or other electioneering communications that advocate, either directly or indirectly,
7 the election or defeat of any candidate or candidates, shall file a report with the director, or with
8 the city or town clerk if such candidate seeks public office at a city or town election, within
9 seven business days after making such independent expenditure or expenditures. For the
10 purposes of this section, the term "electioneering communication" shall mean a public
11 communication, whether in print, broadcast or electronic form, that is released within 30 days of
12 a primary and within 60 days of a general election and seeks to: influence the selection,
13 nomination, election or appointment of one or more candidates to state or local offices; influence
14 one or more state or local ballot initiatives, state or local referenda, state or local constitutional
15 amendments, state or local bond issues, or other state or local ballot issues; influence the
16 selection, appointment, nomination or confirmation of one or more individuals to non-elected
17 state or local offices; or which promotes, supports, attacks or opposes a clearly identified
18 candidate for state or local office, including, but not limited to, the candidate's position on one or
19 more public policy issues. Such report shall be filed on a form prescribed by the director, and
20 shall state the name and address of the individual, group or association making the expenditure
21 or expenditures; the name of the candidate for state or local office the individual, group or
22 association is advocating the election or defeat of; the name and address of the person or persons

23 to whom the expenditure or expenditures were made; and the total amount or value, the purpose
24 and the date of the expenditure or expenditures.

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